240 Sand Key Estates Drive, #68 Clearwater, Florida 33767 JUN 0 3 2002 C

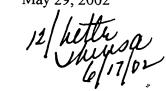
Call: 727/593-3717 FAX: 727/593-3605

e-mail: ByteBooks@aol.com

Web Site: http://members.aol.com/Berniebyte/bernieby.html

May 29, 2002

U.S. Department of Commerce
Patent and Trademark Office
Assistant Commissioner of Patents
Stanley Witkowski, Primary Examiner
Group Art Unit 2837
Washington, DC 20231



Reference: Reply to Patent Office *Notice of Abandonment* mailed 5/23/02 on Patent Application 09/655792 by Bernard H. Browne, Jr.

To: Assistant Commissioner of Patents

Please be advised that there was no abandonment committed in our patent effort as implied in the referenced communication above. Contrary to the communication referenced that was received yesterday that no extension of time was requested or paid for involving an extension to the statutory six month period for replies to the 10/04/01 PTO action, attached you will find a summarized time line concerning all communication matters. This time line clearly shows that an extension of time was requested and paid for on 2/08/02.

As proof that there was no abandonment due to timing matters, attached is a copy of my America Express bill showing the PTO acceptance of \$55.00 on 2/08/02 for the time extension of one month. Also shown is a copy of a check for an earlier time extension in April of 2001.

It may be noted that our last response mailed on 5/3/02 was actually within the three month response requested by the PTO in the item mailed on 2/13/02 despite the fact that all mail communications have been slowed down considerably since 9/11/01. And it actually was a second response since 10/04/01 (items 6 and 9). Also, our 5/04/04 mailed response would have apparently been acceptable without the time extension fee because there was a three month time response referenced in the 2/13/02 PTO action letter. Possibly a refund is due us.

We trust that this matter of response timing to the PTO will be cleared promptly so that we may finally declare the *Instant Musician, Recording Artist and Composer* as "patent pending."

Thank you.

Sincerely,

Bernard H. Browne, Jr.- Inventor

Author/Publisher of America Online and Best Web Sites book series

Byte Masters International

Attachment 1: Communications time line concerning application 09/655792.

Attachment 2: Copies of check and American Express bill showing time extension payments

No.

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COMMUNICATIONS TIME LINE CONCERNING APPLICATION 09/655792

"INSTANT MUSICIAN, RECORDING ARTIST AND COMPOSER"
by Bernard H. Browne, Jr.

etion	•			I II. Diowne, v.		
Action No.	From	Dated/ Date Sent	Received	Item Description		
	Inventor	8/31/00	9/06/00	Initial patent application		
	Patent office	1/24/01		Request for 3 month reply relating to more detail required and comments concerning patents by Sitrick, Aoki, et al.		
3	Inventor	4/16/01	04/19/01	30 day extension for reply requested and \$55.00 check sent and cashed for extension		
4	Inventor	5/23/01	5/29/01	Material provided as requested including more detailed specification, more drawings, more detailed claims and reasons why our application doesn't infringe upon patents of Sitrick, Aoki, et al.		
5	Patent office	10/04/01		Request for 3 month reply relating to what appeared to be new material in the specification, claims, drawings; and reasons why our application doesn't infringe upon patents of Sato, Farrand, Goede, Miyano and Eller.		
6	Inventor	12/24/01	01/15/02	Material provided as requested including corrections to claims and reasons why our application doesn't infringe upon the inventors' material referenced above.		
7	Inventor	2/08/02		FAX to Trina at Patent Office for authorizing \$55.00 charge to inventor's American Express account for 30 day extension.		
8	Patent office	2/13/02		Request for 3 month reply to address fact that amendment filed on 01/15/02 did not comply with Rule 37 CFR 1.121.		
9	Inventor	5/3/02		Material provided as requested complying with 3' CFR 1.121 within the 3 months requested including: marked up original material to show amendments and clean versions of the amended abstract, specification, claims and drawings.		
10	Patent office	5/23/02	5/28/02	Notice of abandonment stating that paper filed 5/03/02 was not filed on time.		

Prepared For BERNARD H BROWNE JR	INH 0 3 TOTAL	3728-	Account Number 778034-71003	Page 2 of 8
Transactions Continued	PIENT & TRADEMAR	7	Amount \$	
January 27, 2002 AOL SERVICE 800-679-9444 VA ONLINE AOL*ONLINE SERVICE 0102 Reference: 00d9cat21 Roc Number: 0062369021	a-IKAU		21.51	
January 31, 2002 AMERADA HESS CORP CLEARWATER GAS/GROCERI501442007733 Reference: AMERADAH	FL		15.70	
February 2, 2002 AOL SHOP DIRECT PURC888-265-7467 MERCHANDISE Reference: 124079231 Roc Number: 0064714771	VA		6.37	
February 4, 2002 ANGELLINOS OF LARGO LARGO FOOD/BEVERAGE FOOD TIP Reference: 067568194	FL 12.83 1.00		13.83	
F bruary 4, 2002 AMERADA LARGO FL GAS/GROCERIES/MISC Reterence: AMERADAH			14.79	
F bruary 8, 2002 BALLYHOO GRILL N REDINGTON BEA FOOD, DRINK Between 56510000	ACH FL		55.75	_
February 8, 2002 US PATENT TRADEMARK 703-3064749 GOVERNMENT SERVICES Reference: BY000039C Roc Number: 0000005014	VA·		55.00	
Activity for BERNARD H BROWNE J	R	New Charges Payments/Credits	283.24 -929.89	